

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Song  
Serial No.: 10/770,893  
Filed: February 3, 2004  
Group Art Unit: 1742  
Examiner: Morillo, Janell Combs  
Title: CASTABLE HIGH TEMPERATURE ALUMINUM ALLOY  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

**RESPONSE**

Dear Sir:

This paper is responsive to the non-final Office Action of September 17, 2008. Please reconsider the rejections based on the following remarks.

**REMARKS**

Applicant would like to thank the Examiner for the detailed remarks. Claims 1-16 and 26-29 are pending in the application.

Claims 1-4, 10-13, and 26-29 were rejected under §103(a) as being unpatentable over Watson. The Examiner argues that Watson discloses the chemical elements of the claimed composition and that Watson suggests that certain chemical elements are equivalents that can be substituted for other chemical elements to achieve the claimed composition. Respectfully, Appellant disagrees because Watson does not suggest that the chemical elements are equivalents as the Examiner argues.

In general, Watson discloses an aluminum alloy having dispersed particles for strength. The particles are a compound of aluminum and an alloying element, referred to in Watson as a  $Li_2$  forming element. The Examiner asserts that Watson discloses a preferred composition having scandium as a  $Li_2$  forming element. Watson also discloses other  $Li_2$  forming elements, including erbium and ytterbium.